



## Whistle-blowing

### Policy statement

Whistle Blowing is the everyday term used to describe a disclosure made to someone in authority alleging corruption, malpractice or wrongdoing on the part of another person. In employment whistle blowing refers to an employee (“whistle blower”) making a disclosure about a colleagues conduct in the course of employment, or about employer’s practices.

The whistle-blowing policy is intended to cover other serious concerns that fall within the Public Interest Disclosure Act 1998. We are committed to running our preschool with honesty and integrity and within the restraints of the law. As such, whilst legislation protects you from suffering a detriment at work if you take a matter to a relevant outside body, we would hope that you would feel able to bring any concerns you may have to the attention of the Manager or a Member of the Management Committee with confidence that any such concern would be dealt with appropriately and swiftly and without any fear of reprisal, even if your belief of wrongdoing turns out to be unfounded as the result of a thorough investigation.

### The legal position

Employees and workers who make a ‘protected disclosure’ are protected from being treated badly or being dismissed as a result of the disclosure. The Act offers protection to any person who makes a disclosure relating to the following serious offences:-

- Criminal offences,
- Risks to health and safety,
- Failure to comply with a legal obligation,
- A miscarriage of justice,
- Abuse of a child
- Environmental damage.

For a disclosure to be protected it must be made to an appropriate body. For example, disclosing a health and safety issue to the Health and Safety Executive is likely to be protected, but not if the concern was disclosed to the media.

### Organisation procedures

We are committed to the highest possible standards of operation. In line with that commitment we encourage you to consider raising the matter with the Manager or a Member of the Management



Committee before taking the matter to an outside body. We will take all such concerns seriously and you will have no need to fear victimisation, subsequent discrimination or disadvantage. All such concerns raised will be thoroughly investigated and appropriate action taken accordingly.

#### Safeguarding complainants

We recognise that the decision to report a concern can be a difficult one to make and we will support you during the process. We will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect you when you raise a concern to us in good faith. Every effort will be made to keep the identity of the whistle blower who makes a disclosure under this policy confidential, at least until a formal investigation is under way. In order to ensure that a fair investigation can take place the whistle blower will also be expected to keep the fact that they have raised a concern, the nature of the concern and the identity of those involved confidential. It may be that during an investigation, disciplinary or legal proceedings that the Preschool no longer maintains the whistle blowers confidentiality. If that does occur then the Preschool will endeavour to notify the whistle blower in advance.

#### Untrue allegations

If you make an allegation that is not corroborated by the investigation, no action will be taken against you. If, however, you knowingly raise a false allegation, or raise an allegation maliciously, or for personal gain; disciplinary action may be taken against you, and dependent upon the circumstances, it may be treated as Gross Misconduct.

#### **Procedures.**

##### **STEP 1**

Put your concerns in writing giving names, dates and places where possible. Please include the reason why you are particularly concerned with the situation.

##### **STEP 2**

You should normally raise your concerns with your line Manager. However, there may be situations where this is not appropriate e.g.

- You believe the manager may be implicated in the malpractice
- The manager is closely connected with the person(s) implicated in your concerns
- You have previously raised your concerns informally with the manager and nothing has been done

In such situations, you must raise your concerns directly with a member of the management committee.



You will find contact details for all members of the management committee in the office.

**STEP 3**

The management committee will lead any internal investigations into a concern raised. Where concerns are raised directly with an external organisation the committee will comply with the relevant policies and procedures (including response times)

**STEP 4**

We will provide a written response to the complainant within 14 days outlining the outcome of the investigation and any actions taken as a result of it. Depending on the nature of the concern and the method by which it is raised we may need longer to investigate the matter thoroughly. Where this is the case we will notify you of expected timescales and progress in writing.

Where the complainant is not satisfied with the outcome and actions implemented and you have expressed this to the management committee, you can contact OFSTED on 0300 123 1231.

Where you find it necessary to raise your concerns directly with an outside body, your disclosure is only protected where it is raised with the appropriate body e.g. HSE for Health and Safety concerns and the Local Authority Designated Officer for Safeguarding Concerns.